

Minutes

Santee City Council Community Development Commission Santee Public Financing Authority

**Council Chambers
10601 Magnolia Avenue
Santee, California**

April 25, 2007

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:03 p.m.

Council Members present were: Mayor/Chairperson/Chair Randy Voepel, Vice Mayor/Vice Chairperson/Vice Chair John W. Minto and Council/Commission/Authority Members Jack E. Dale, Brian W. Jones and Hal Ryan.

Staff present were: City Manager/Executive Director/Secretary Keith Till, Deputy City Manager/Director of Development Services Gary Halbert, City/Commission/Authority Attorney Shawn Hagerty, Assistant to the City Manager Kathy Valverde, Finance Director/Treasurer Tim McDermott, Interim Director of Fire and Life Safety Mike Rottenberg, Director of Human Resources Jodene Dunphy, Assistant to the Executive Director Pamela White, City Engineer Steve Cresswell, City Planner Melanie Kush, Santee Sheriff's Station Interim Captain Joe Rodi, City Clerk/Commission Secretary Linda Troyan, and Deputy City Clerk/Deputy Commission Secretary Patsy Bell.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/ Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/ Deputy Commission Secretary.)

The **INVOCATION** was given by Pastor Justin McMurdie from Santee Christian Church and the **PLEDGE OF ALLEGIANCE** was led by Rusty Williams, former Marine Sergeant.

PROCLAMATION: MUNICIPAL CLERKS' WEEK APRIL 29 – MAY 5, 2007

Mayor Voepel announced the proclamation and commended the City Clerk and her staff for their excellence in service to the community and staff.

Added Item:

Vice Mayor Minto presented Certificates of Appreciation to the Santee Fire Fighters and Donna "Molly" Quinton for their work with the Santee Relay for Life fund-raising event.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

Council Member Jones requested Item 1(F) be pulled for discussion. Mayor Voepel reordered Item 9(A) to be heard concurrently with Item 2(A) and requested Items 2(C), 2(D) and 9(B) be continued to Date Uncertain per the applicants' request.

1. CONSENT CALENDAR:

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.
- (B) Approval of Meeting Minutes:
Santee City Council 4-11-07 Regular Meeting
Community Development Commission 4-11-07 Regular Meeting
Santee Public Financing Authority 4-11-07 Regular Meeting
- (C) Approval of Payment of Demands as Presented.
- (D) Approval of the Expenditure of \$75,933.99 to Pay for March 2007 Legal Services and Related Costs, and Appropriation of \$114,000 in General Fund Reserves for Estimated Expenditures through June 30, 2007.
- (E) Approval of a Consultant Services Contract with Tetra Tech for an Amount Not to Exceed \$20,000 for an Independent Review of the Town Center Community Park Project Design Plans, and Authorization for the City Manager to Execute the Agreement.
- (F) Item pulled for discussion.
- (G) Adoption of Resolution Initiating Proceedings and Ordering the Preparation of an Engineer's Report Pursuant to the Provisions of the Streets and Highways Code of California, for the FY 2007-08 Santee Roadway Lighting District Annual Levy of Assessments. (Reso 26-2007)
- (H) Adoption of Resolution Initiating Proceedings and Ordering the Preparation of an Engineer's Report Pursuant to the Provisions of the Streets and Highways Code of California, for the FY 2007-08 Town Center Landscape Maintenance District Annual Levy of Assessments. (Reso 27-2007)
- (I) Adoption of Resolution Initiating Proceedings and Ordering the Preparation of Engineer's Reports Pursuant to the Provisions of the Streets and Highways Code of California, for the FY 2007-08 Santee Landscape Maintenance District Annual Levy of Assessments. (Reso 28-2007)

ACTION: On motion of Vice Mayor Minto, seconded by Council Member Jones, the Agenda and Consent Calendar were approved as amended with all voting aye.

Item Pulled from Consent Calendar for Discussion.

- (F) **Approval of a Consultant Services Contract with D-Max Engineering for Annual NPDES Dry Weather Monitoring Requirements and Update of the City's Jurisdictional Urban Runoff Management Program, Authorization for the City Manager to Execute the Agreement, and Appropriation of \$108,150 in Zone 2 - Flood Control District Reserves.**

In response to Council Member Jones' question regarding the funding source for this item, it was noted that this is an unfunded state mandated process and a requirement of the Regional Water Quality Control Board permit.

ACTION: On motion of Vice Mayor Minto, seconded by Council Member Ryan, \$108,150 from Zone 2 – Flood Control Fund was appropriated, the consultant services contract with D-Max Engineering was approved with City Manager authorization to execute the agreement with all voting aye.

The following Items were heard concurrently.

2. **PUBLIC HEARINGS:**

- (A) **Public Hearing for a Conditional Use Permit (P07-01) to Construct a new 71,530 Square Foot Mixed Commercial and Retail Shopping Center, "The Marketplace at Santee," Including the Demolition of the Existing Santee Shopping Center Buildings Located at 9333, 9337, 9365, 9367, and 9389 Mission Gorge Road. Applicant: Santee Retail, LP (Relates to 9A) (Reso 29-2007)**

9. **COMMUNITY DEVELOPMENT COMMISSION:**

- (A) **Adoption of a Resolution Authorizing Execution of a Jobs Creation and Blight Removal Agreement. (Sudberry Properties, Inc.) (Relates to 2A) (Reso CDC 2-2007)**

The Public Hearing opened at 7:22 p.m. City Planner Kush provided opening remarks and an overview of the process. Associate Planner Josh McMurray presented the staff report and answered Council questions.

Entered into the Record: Correspondence from Van Collinsworth.

Public Speakers:

1. Jan Peterson, representing Santee Mobile Estates HOA, spoke in support of the project, but requested that no gate be added on their common wall to the project and that the wall be 8 foot in height.

2. Michael Kelly, Santee Chiropractic Clinic, requested additional information regarding the traffic access to the complex during the construction phase as his business will remain open.
3. Larry Murnane, Santee Retail LP, answered Council's questions.
4. Roy Shaw, property owner, was available to answer Council's questions.

During discussion, Vice Mayor Minto requested the top of the wall adjacent to Forester Creek contain some type of deterrent to keep people from jumping over it. Mayor Voepel inquired about extending the common wall between the project and the Santee Mobile Estates to a height of eight feet and incorporating palm trees and a variety of different shade trees into the project.

ACTION: On motion of Vice Mayor Minto, seconded by Mayor Voepel the Public Hearing was closed at 7:53 p.m., the Mitigated Negative Declaration was approved as complete and in compliance with the provisions of CEQA; the Resolution approving Conditional Use Permit P07-01, amended to include an 8-foot common wall and a mix of palm trees and shade trees, was adopted, and the CDC Resolution approving the Jobs Creation and Blight Removal Agreement was adopted with all voting aye.

2. PUBLIC HEARINGS:

(B) Public Hearing on an Appeal of the Decision of the Director of the Department of Development Services Denying Temporary Use Permit TUP07-04 for a Temporary RV Sales Use at 11332 North Woodside Avenue. Applicant: Double D RV

Council Member Ryan abstained from the item due to a conflict of interest and left the Chamber.

The Public Hearing was opened at 7:53 p.m. Director of Development Services/Deputy City Manager presented the staff report. During discussion, it was noted that the property owner (Shaw) should clear up the current code compliance issues associated with his property before applicant Clute's Temporary Use Permit be considered for approval.

Public Speakers:

1. Don Clute, Double D RV, spoke in support of Council granting the temporary use permit for his business and answered Council's questions.
2. Mike Shaw, property owner, spoke in support of the temporary use permit being approved for Double D RV and answered Council's questions. He stated that he wanted to bring his property into compliance, but could not commit to a specific time frame to do so as he is not familiar with all the required steps and their time-frame for the process.
3. Mark Robak spoke to the chain of events for Mr. Shaw's purchase of the property.

MOTION: After lengthy discussion, Vice Mayor Minto moved to adopt the resolution affirming the decision of the Director of the Department of Development Services to deny Temporary Use Permit TUP07-04.

FAILED MOTION: After further discussion, Vice Mayor Minto's motion failed due to a lack of a second.

FAILED MOTION: It was moved by Council Member Jones, and seconded by Mayor Voepel, to grant a 6 -month temporary use permit that would not be transferable. If the property owner has not submitted a formal application to the City at the end of the 6-month period, then the citation process would immediately begin for code compliance violations and the action to remove the expired temporary use would begin. The motion failed with Mayor Voepel and Council Member Jones voting aye, Vice Mayor Minto and Council Member Dale voting no and Council Member Ryan abstaining.

MOTION: It was then moved by Council Member Dale, to approve a one-year temporary use permit for Double D RV effective only subsequent to all the illegal compliance issues being cleared from the property.

AMENDMENT: Council Member Jones requested the motion include that the temporary use permit would not be transferable. Council Member Dale accepted the amendment and Council Member Jones seconded the amended motion.

ACTION: The Public Hearing was closed at 8:48 p.m. and the one-year non-transferable temporary use permit for Double D RV, effective only subsequent to all the illegal compliance issues being cleared from the property, was approved with all voting aye except Mayor Voepel who voted no and Council Member Ryan who abstained.

Council Member Ryan returned to the Chamber.

(C) Public Hearing for a Tentative Map (TM07-01) and Development Review Permit (DR07-02) to Construct 235 Condominiums Including Eight Live/Work Units in 42 Two- and Three- Story Buildings, and Common Amenities on 11.26 Acres in Town Center. Applicant: CLB Partners.

ACTION: Under Add/Delete/Re-Order, Item 2(D) was continued to Date Uncertain at applicant's request.

(D) Public Hearing for a Development Review Permit (DR07-05) to Construct a 38,555 Square Foot 12-Plex Theater on a 6.1 Acre Site in Town Center. Applicant: Fehlman LaBarre Architects Inc., for Hollywood Theaters. (Relates to 9B)

ACTION: Under Add/Delete/Re-Order, Item 2(D) was continued to Date Uncertain at applicant's request.

3. **ORDINANCES (First Reading):** None

4. **CITY COUNCIL REPORTS:** None

5. **CONTINUED BUSINESS:** None

6. **NEW BUSINESS:** None

7. **COMMUNICATION FROM THE PUBLIC:**

- (A) Susan Quigley commended City Council for doing due diligence in their proceedings process and staff for their continued work with citizens regarding street sweeping and traffic issues.

8. **CITY MANAGER REPORTS:**

City Manager Till reported the City exceeded its 50% State mandated waste diversion rate coming in at 54%. He further announced the City received an *Excellence in Communication* award for the Santee Review from California Association of Public Information Officials. City Manager Till also informed Council that the new landscapers are onboard and diligently working to bring all the landscape areas back up to standard.

9. **COMMUNITY DEVELOPMENT COMMISSION:**

(Note: Minutes appear as Item 1B)

(A) **Item reordered to be heard concurrently with Item 2(A).**

(B) **Adoption of a Resolution Approving an Owner Participation Agreement (Multiplex Theater Development) by and between the Community Development Commission of the City of Santee and Ryan Companies US, Inc. (Relates to 2D)**

ACTION: Under Add/Delete/Re-Order, Item 2(D) was continued to Date Uncertain at applicant's request.

10. SANTEE PUBLIC FINANCING AUTHORITY:

(Note: Minutes appear as Item 1B)

11. CITY ATTORNEY REPORTS: None

12. CLOSED SESSION: None

13. ADJOURNMENT:

There being no further business, the meeting was adjourned in Memory of Tom Burt at 8:55 p.m.

Date Approved: May 9, 2007

/s/Linda A. Troyan
Linda Troyan, Commission Secretary
and for Authority Secretary Keith Till